

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED
MAR 12 2003

Michael N. Milby, Clerk

In re ENRON CORPORATION SECURITIES § Civil Action No. H-01-3624
LITIGATION § (Consolidated)

This Document Relates To: § CLASS ACTION

MARK NEWBY, et al., Individually and On §
Behalf of All Others Similarly Situated, §

Plaintiffs, §

v. §

ENRON CORP., et al., §

Defendants. §

THE REGENTS OF THE UNIVERSITY OF §
CALIFORNIA, et al., Individually and On §
Behalf of All Others Similarly Situated, §

Plaintiffs, §

v. §

KENNETH L. LAY, JEFFREY K. SKILLING, §
ANDREW S. FASTOW, RICHARD A. §
CAUSEY, JAMES V. DERRICK, JR., §
MARK A. FREVERT, STANLEY C. HORTON, §
KENNETH D. RICE, RICHARD B. BUY, LOU §
L. PAI, JOSEPH M. HIRKO, KEN L. §
HARRISON, STEVEN J. KEAN, REBECCA P. §
MARK-JUSBASCHE, MICHAEL S. §
MCCONNELL, JEFFREY McMAHON, §
CINDY K. OLSON, JOSEPH W. SUTTON, §
MARK E. KOENIG, KEVIN P. HANNON, §
LAWRENCE GREG WHALLEY, ROBERT A. §
BELFER, NORMAN P. BLAKE, JR., RONNIE §
C. CHAN, JOHN H. DUNCAN, WENDY L. §
GRAMM, ROBERT K. JAEDICKE, §
CHARLES A. LEMAISTRE, JOE H. FOY, §
JOHN MENDELSON, PAULO V. FERRAZ §
PEREIRA, JEROME J. MEYER, JOHN A. §
URQUHART, JOHN WAKEHAM, CHARLS §
E. WALKER, BRUCE G. WILLISON, §
HERBERT S. WINOKUR, JR., FRANK §
SAVAGE, ALLIANCE CAPITAL §

#1278

MANAGEMENT L.P., JOSEPH F. §
BERNARDINO, THOMAS H. BAUER, §
DAVID B. DUNCAN, DEBRA A. CASH, §
DONALD DREYFUSS, JAMES A. §
FRIEDLIEB, DAVID STEPHEN GODDARD, §
JR., GARY B. GOOLSBY, MICHAEL M. §
LOWTHER, PHILIP A. RANDALL, MICHAEL §
C. ODOM, ROMAN W. MCALINDON, C.E. §
ANDREWS, JOHN E. STEWART, MICHAEL §
L. BENNETT, BENJAMIN S. NEUHAUSEN, §
RICHARD R. PETERSEN, NANCY TEMPLE, §
WILLIAM E. SWANSON, JOHN E. §
SORRELLS, DANNY D. RUDLOFF, ROGER §
D. WILLARD, MICHAEL D. JONES, §
GREGORY W. HALE, ARTHUR ANDERSEN §
LLP, ANDERSEN WORLDWIDE, S.C., §
ANDERSEN CO. (INDIA), ARTHUR §
ANDERSEN-PUERTO RICO, ANDERSEN §
LLP (CAYMAN ISLANDS), ARTHUR §
ANDERSEN-BRAZIL, ARTHUR ANDERSEN §
(UNITED KINGDOM), VINSON & ELKINS, §
L.L.P., KIRKLAND & ELLIS, J.P. MORGAN §
CHASE & CO., CITIGROUP, INC., CREDIT §
SUISSE FIRST BOSTON, CANADIAN §
IMPERIAL BANK OF COMMERCE, BANK §
OF AMERICA CORP., MERRILL LYNCH & §
CO., INC., BARCLAYS PLC, DEUTSCHE §
BANK AG and LEHMAN BROTHERS §
HOLDING, INC., §
§
Defendants. §

DEMAND FOR JURY

STIPULATION OF DISMISSAL

Roman W. McAlindon (“Defendant McAlindon”) and Class Plaintiffs herein file this stipulation of dismissal.

1. Class Plaintiffs have entered into a settlement agreement with Andersen Worldwide Societe Cooperative (“AWSC”). The settlement provides for the dismissal and release of all claims of any nature whatsoever that the Class Plaintiffs have, or may have, against AWSC and each AWSC Entity (but not against Arthur Anderson LLP or its Members) based on, arising out of, or related to purchases of Enron’s publicly traded securities, the Savings Plans, or any services provided to Enron.

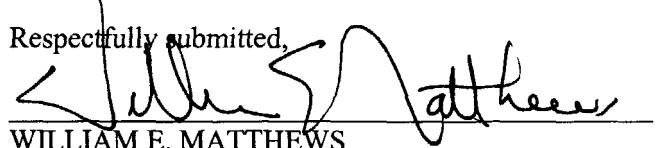
2. In connection with such settlement, Class Plaintiffs and Defendant McAlindon hereby stipulate to dismissal of claims in this suit against Defendant McAlindon under the terms of this

stipulation. Defendant McAlindon and Class Plaintiffs stipulate that all claims asserted in this suit against Defendant McAlindon shall be dismissed without prejudice. Each party hereto shall bear their own costs and attorneys' fees.

Accordingly, Defendant McAlindon and Class Plaintiffs request that the court enter an appropriate order dismissing this suit upon the terms and conditions set forth in this stipulation.

Dated: March 11, 2003.

Respectfully submitted,

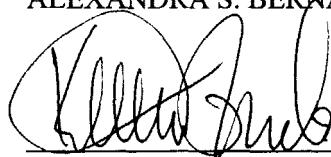


WILLIAM E. MATTHEWS

ATTORNEY-IN-CHARGE FOR DEFENDANT,
ROMAN W. McALINDON

OF COUNSEL:
GARDERE WYNNE SEWELL LLP
1000 Louisiana, Suite 3400
Houston, Texas 77002-5007
(713) 276-5500 (Telephone)
(713) 276-5555 (Facsimile)

MILBERG WEISS BERSHAD HYNES
& LERACH LLP
WILLIAM S. LERACH
KEITH F. PARK
DARREN J. ROBBINS
HELEN J. HODGES
BYRON S. GEORGIOU
G. PAUL HOWES
JAMES I. JACONETTE
MICHELLE M. CICCARELLI
JAMES R. HAIL
JOHN A. LOWTHER
ALEXANDRA S. BERNAY



KEITH F. PARK

401 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619-231-1058

MILBERG WEISS BERSHAD HYNES
& LERACH LLP
STEVEN G. SCHULMAN
One Pennsylvania Plaza
New York, New York 10119-1065
Telephone: 212-594-5300

LEAD COUNSEL FOR PLAINTIFFS

SCHWARTZ, JUNELL, CAMPBELL
& OATHOUT, LLP
ROGER G. GREENBERG
Federal I.D. No. 3932
State Bar No. 08390000



ROGER B. GREENBERG

Two Houston Center
909 Fannin, Suite 2000
Houston, Texas 77010
Telephone: 713-752-0017

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Stipulation of Dismissal* and proposed Order of Dismissal have been served upon all counsel of record by posting the same to the website www.esl3624.com pursuant to the order entered by United States District Judge Melinda Harmon, Southern District of Texas, Houston Division, in Civil Action No. H-01-3624 (Consolidated Cases)(Instrument #819), on this 12th day of March, 2003.



Roger B. Greenberg

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HOUSTON DIVISION

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OF AMERICA CORP., MERRILL LYNCH &	§
CO., INC., BARCLAYS PLC, DEUTSCHE	§
BANK AG and LEHMAN BROTHERS	§
HOLDING, INC.,	§
§	§
Defendants.	§

DEMAND FOR JURY

ORDER OF DISMISSAL

Roman W. McAlindon (“Defendant McAlindon”) and Class Plaintiffs have filed their stipulation for dismissal in the above-entitled and numbered action, advising the court that the parties have agreed to dismiss this suit without prejudice. The court, having considered the pleadings and all stipulations made by and between the parties is of the opinion that this suit shall be dismissed on the terms set forth in the stipulation of dismissal. It is therefore

ORDERED that the above-entitled and numbered action against Defendant McAlindon be and is hereby dismissed without prejudice to its refiling as to all such disputes and causes of action against Defendant McAlindon, with each party to bear their own costs and attorneys’ fees.

DATED this _____ day of _____, 2003.

UNITED STATES DISTRICT JUDGE